

Forest Land-Thane & Palghar
Diversion of 4.7083 ha. out of total 13.7243 ha. Reserved Forest, Private Mangrove, Protected Forest & Notified Mangrove land in favour of DFCCIL/Mumbai (South) for Construction of Western dedicated freight corridor (WDFC) double line Railway tracks from JNPT (Maharashtra) to Dadri (UP), in Thane & Palghar Districts in the State of Maharashtra.

Government of Maharashtra
Revenue and Forest Department
Government Order No.FLD-2021/C.R.113/F-10
Mantralaya, Mumbai 400032.
Date:-14.10.2024.

Reference:-

1. Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/NC/I/ID-12847/1392/20-21, Dt.25.03.2021.
2. Government of Maharashtra, Letter No. FLD-2021/C.R.113/F-10, dt. 29.04.2021.
3. Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-II/MH-162/2021-NGP/8538, dt.24.08.2021.
4. Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/Nodal/Thane/ID-12847 (73)/5250/2020-21, Dt.28.02.2023.
Desk-17/Nodal/Thane/ID-12847 (73)/5910/2023-24, Dt.25.05.2023.
Desk-17/FCA-S2/PID-80183/Thane/1208, Dt.19.07.2023.
5. Government of Maharashtra, Letter No. FLD-2021/C.R.113/F-10, dt. 20.03.2023.
Letter No. FLD-2021/C.R.113/F-10, dt. 07.06.2023
Letter No. FLD-2021/C.R.113/F-10, dt. 25.07.2023
6. Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-II/MH-162/2021-NGP/12133, dt.05.09.2023.
7. Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/Nodal/FCA/S2/PID-80813/Thane/2023-24/3387, dt.13.03.2024.
Desk-17/Nodal/Thane /PID-80813/1359/2024-25, dt.06.09.2024.
8. Government of Maharashtra, order No. FLD-2021/C.R.113/F-10, dt. 25.06.2024.

9. Government of Maharashtra, Letter No. FLD-2021/C.R.113/F-10, dt. 18.03.2024.
10. Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/Nodal/FCA/S2/PID-80813/Thane/2023-24/3387, dt.06.09.2024.

Order:-

Whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur, vide letter under reference No.1 has submitted a proposal for diversion of 13.7243 ha. Reserved Forest, Private Mangrove, Protected Forest & Notified Mangrove land for Construction of Western dedicated freight corridor (WDFC) double line Railway tracks from JNPT (Maharashtra) to Dadri (UP), in Thane & Palghar Districts in the State of Maharashtra;

AND whereas, the State Government vide letter under reference No.2 has submitted proposal to Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur;

AND whereas, the Government of India after due consideration, vide letter under reference No.3, accorded 'In-principle' approval to divert the 13.7243 ha. Forest Land for the above project under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The said approval is subject to fulfillment of certain conditions by the User Agency;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letters under reference No.4 has submitted compliance of those conditions to the Government of Maharashtra;

AND whereas, the State Government vide letters under reference No.5 has submitted compliance of those conditions to the Government of India;

AND whereas, the Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur, vide under reference no. 6 accorded 'Final approval' to divert the of 13.7243 ha. of Forest land in favour DFCCIL/Mumbai (South) for Construction of Western dedicated freight corridor (WDFC) double line Railway tracks from JNPT (Maharashtra) to Dadri (UP), in Thane & Palghar Districts in the State of Maharashtra under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letter under reference No.7 has requested State Government to issue diversion order in the matter;

AND whereas, the Collector Thane & Palghar has issued certificate under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for 6.0149 ha. forest land. Therefore, Government of Maharashtra vide order under reference No. 8 directs to divert of 6.0149 ha. forest land out of proposed 13.7243 ha. forest land;

AND whereas, the State Government vide letters under reference No.9 has sought some additional information with respect to FRA certificate and legal status of the forest land.

AND whereas, Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letter under reference No.10 has submitted compliance report and requested State Government to issue diversion order in the matter;

NOW, therefore, Government of Maharashtra hereby directs that out of proposed 13.7243 ha. forest land only 4.7083 ha. forest land more specifically described in the proposal submitted vide letter under reference No. 1 and as per details given in the Schedule given below, be diverted to the User Agency, i.e. DFCCIL / Mumbai (South), for Construction of Western dedicated freight corridor (WDFC) double line Railway tracks from JNPT (Maharashtra) to Dadri (UP), in Thane & Palghar Districts in the State of Maharashtra. Decision for remaining 3.0011 ha. forest land will be taken separately, after compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

The diversion shall be effected subject to the terms and conditions mentioned in the letter dated 24.08.2021 and dated 05.09.2023 of Regional Office, MoEF&CC, Nagpur. This approval for diversion of forest land is also subject to compliance of following conditions by the User Agency-

1. Rest of the 3.0011 ha. proposed Land shall not be handed over to the User Agency, till further direction of the State Government.
2. The User Agency shall comply with all the conditions stipulated in the 'in-principle' and 'final approval' letters of Regional Office, MoEF&CC, Nagpur, referred above. The Chief Conservator of Forests (T), Thane shall ensure the strict compliance of the conditions by the User Agency and shall furnish the report in this regard to Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur from time to time.
3. For ensuring the compliances and for monitoring the duly prescribed activities and also to carry out other statutory duties, user agency shall facilitate unhindered access/entry in the area to the local forest Officer. In case the user agency prohibits the free access or create hindrances, the permission given under this Order for the diversion of forest area for the non-forest use shall be withdrawn.
4. Non-compliance of any of the conditions mentioned in Regional Office, MoEF&CC letters dated 24.08.2021 and dated 05.09.2023, in this order and Rules & Guidelines made / issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, shall amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken accordingly.
5. In case of non-compliance of any of the above conditions, the Chief Conservator of Forests (T), Thane shall report through the State Government to the Deputy Director General of Forests (Central), Regional Office, Ministry of

Environment, Forests & Climate Change, Government of India, Nagpur as per procedure laid down in guidelines under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

SCHEDULE

Sr. No.	Item of Works/Purpose	Division	Range	Name of Village	Taluka	Survey No.	Area (ha.)	Legal Status
1	Diversion of 13.7243 ha. forest land for Construction of Western dedicated freight corridor (WDFC) double line Railway tracks from JNPT (Maharashtra) to Dadri (UP), in Thane & Palghar Districts in the State of Maharashtra	Mangrove Conservation Unit	MMCU Bhiwandi	Paye	Bhivandi	Nalla 278 (5)	0.8800	Private Mangrove Forest Land
[A] Total of Mangrove Conservation Unit							0.8800	
2		Dahanu	Mandavi	Chandra-pada	Vasai	73 pt.	0.0570	Mangrove D.F
3				Tivri	Vasai	57	0.0243	
						71	0.4920	
						72	0.6260	
4				Shirgaon	Vasai	409	0.1913	Mangrove D.F
						347	0.0066	
						137	0.2763	
						135	0.3973	
						134	0.0055	
						133	0.5600	
						132	0.4235	
						10	0.1606	
						Nalla	0.6079	
[B] Total Forest Area in Dahanu Division							3.8283	
Grand Total [A] + [B]							4.7083	

This Government Order is available on Government of Maharashtra's website www.maharashtra.gov.in with Reference No. 202410141237371119 This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

(Ganesh Jadhao)

Under Secretary to the Government of Maharashtra

Copy:

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi.
2. Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur.
3. Deputy Director General of Forests (Central), Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.

4. Principal Chief Conservator of Forests & CEO, Maha-CAMPA, Nagpur.
5. Addl. Principal Chief Conservator of Forests & Nodal Officer, Nagpur.
6. Additional Principal Chief Conservator of Forests (Conservation), Nagpur.
7. Collector, Thane & Palghar.
8. Chief Executive Officer, Zilha Parishad, Thane & Palghar
9. Chief Conservator of Forests (T), Thane
10. Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai.
11. Deputy Conservator of Forests, Dahanu
12. Chief General Manager, DFCCIL/Mumbai (South)
13. Select File F-10.

I. Collector- Thane & Palghar and Chief Executive Officer, Zilha Parishad, Thane & Palghar are hereby directed to forward the copy of this order to concerned Heads of Local Bodies, Panchayats, Municipal Bodies in addition to the relevant offices of the Government and they shall also ensure the display of this order on their notice board as well as on the notice board of local self-government bodies for the information of general public.

II. Chief General Manager, DFCCIL/Mumbai (South) is hereby directed to publish the entire order of forest clearances granted in verbatim along with the details of Survey No., Gut No., area and legal status of each Survey, Gut No. etc. and along with the conditions and safe guards imposed by the Central Government while granting forest clearances in two widely circulated daily newspapers, one in vernacular language and other in English language. Copy of the Newspapers be submitted to Chief Conservator of Forests (T), Thane, Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai & Deputy Conservator of Forests, Dahanu

III. Heads of Local Bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government are hereby directed to display the same on their notice board for 30 days from the date of receipt for the information of general public.